

1 Gregory L. Lippetz (State Bar No. 154228)
2 glippetz@JonesDay.com
3 Laurie M. Charrington (State Bar No. 229679)
4 lmcharrington@JonesDay.com
5 JONES DAY
6 1755 Embarcadero Road
7 Palo Alto, CA 94303
8 Telephone: +1.650.739.3939
9 Facsimile: +1.650.739.3900

Edward V. Anderson (Bar No. 83148)
evanderson@sheppardmullin.com
James Chadwick (Bar No. 157114)
jchadwick@sheppardmullin.com
Darren M. Franklin (Bar No. 210939)
dfranklin@sheppardmullin.com
Nathaniel Bruno (Bar No. 228118)
nbruno@sheppardmullin.com
Tenaya M. Rodewald (Bar No. 248563)
trodewald@sheppardmullin.com
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
390 Lytton Avenue
Palo Alto, CA 94301
Telephone: 650-815-2600
Facsimile: 650-815-2601

10 Attorneys for Defendants
11 HON HAI PRECISION INDUSTRY CO.,
LTD. and FOXCONN ELECTRONICS, INC.

Attorneys for Plaintiff
LOTES CO. LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

16 LOTES CO., LTD.,
17 Plaintiff and Counterclaim Defendant,
18 v.
19 HON HAI PRECISION INDUSTRY CO.,
20 LTD., and FOXCONN ELECTRONICS, INC.,
Defendants and Counterclaimants

Case No. 3:11-cv-01036-JSW

**STIPULATION TO EXTEND
REMAINING BRIEFING
SCHEDULE FOR DEFENDANTS'
MOTION FOR PRELIMINARY
INJUNCTION, AND [PROPOSED]
ORDER THEREON**

The Hon. Jeffrey S. White
United States District Judge

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12 and Federal Rule of Civil Procedure
 2 15, Plaintiff Lotes Co. Ltd. (“Plaintiff”) and Defendants Hon Hai Precision Industry Co., Ltd. and
 3 Foxconn Electronics, Inc. (“Defendants”) (collectively “the Parties”) hereby agree and stipulate,
 4 through their respective counsel of record, as follows:

5 1. Defendants filed their Motion for Preliminary Injunction (“Motion”) with this
 6 Court on June 26, 2013.

7 2. The parties previously stipulated to continue the dates filing and service of the
 8 opposition and reply papers. The Court granted the parties’ stipulated request, and on August 12,
 9 2013, the Court set the date for Defendants’ Reply to September 13, 2013. On August 14, the
 10 Court continued the hearing on the motion for preliminary injunction from October 11 to
 11 November 15, 2013.

12 3. Good cause exists to extend the reply deadline because Defendants need additional
 13 time to obtain information responsive to Lotes’ arguments from Defendants’ employees who are
 14 located in Taiwan, many of whom do not speak English, which slows down the back-and-forth
 15 communications with its California-based counsel.

16 4. Defendants stipulate and agree that if Defendants submit new evidence with their
 17 reply, then Lotes may file a surreply, within ten days of the filing and service of Defendants’
 18 reply.

19 5. The hearing on Defendants’ preliminary injunction motion, currently scheduled for
 20 November 15, 2013 shall remain unchanged.

21 6. Therefore, the parties stipulate and agree that the deadline to file and serve
 22 Defendants’ Reply shall be extended to September 27, 2013, and that any surreply by Lotes shall
 23 be due on or before October 7, 2013.

24 ///

25 ///

26 ///

27

28

1 IT IS SO STIPULATED.

2 Dated: September 10, 2013

JONES DAY

3 By: /s/ Gregory L. Lippetz

4 Gregory L. Lippetz

5 1755 Embarcadero Road
6 Palo Alto, CA 94303
7 Telephone: 650-739-3939
Facsimile: 650-739-3900
glippetz@jonesday.com

8 Attorneys for Defendants/Counterclaimants
9 HON HAI PRECISION INDUSTRY CO., LTD. and
10 FOXCONN ELECTRONICS, INC.

11 Dated: September 10, 2013

SHEPPARD MULLIN RICHTER & HAMPTON LLP

12 By: /s/ James M. Chadwick

13 James M. Chadwick

14 379 Lytton Avenue
15 Palo Alto, CA 94301-1432
16 Telephone: 650-815-2600
Facsimile: 650-815-2601
jchadwick@sheppardmullin.com

17 Attorneys for Plaintiff/Counterclaim Defendant
18 LOTES CO., LTD.

ATTORNEY'S E-FILING ATTESTATION

As the attorney e-filing this document, and pursuant to General Order 45, I hereby attest that counsel for Plaintiff/Counterclaim Defendants Lotes Co., Ltd. whose electronic signature appears above has concurred in this filing.

Dated: September 10, 2013

JONES DAY

By: /s/ Gregory L. Lippetz

Gregory L. Lippertz

1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: 650-739-3939
Facsimile: 650-739-3900
glippetz@jonesday.com

Attorneys for Defendants/Counterclaimants
HON HAI PRECISION INDUSTRY CO., LTD. and
FOXCONN ELECTRONICS, INC.

Pursuant to the Parties' stipulation, and good cause appearing therefor, IT IS SO ORDERED.

Dated: September 13, 2013

Hon. Jeffrey S. White

Pursuant to the parties' stipulation, Defendants shall file their reply no later than September 20, 2013. If Lotes seeks to file a sur-reply, Lotes shall seek leave of Court to do so.

SVI-132003v2